

PCT

International Application No.:  
PCT/US03/00473

Attorney Docket No.:  
Evionyx-0065USAAON37

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                  |                    |                  |
|------------------|--------------------|------------------|
| APPLICANT for    | William F. Morris  | )                |
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| INTERNATIONAL    |                    | ) Group Art Unit |
| APPLICATION NO.: | PCT/US03/00473     | ) TBD            |
| SERIAL NO.:      | TBD                | )                |
| FILING DATE:     | July 7, 2004       | ) Examiner       |
| INTERNATIONAL    |                    | ) TBU            |
| FILING DATE:     | January 8, 2003    | )                |
| PRIORITY DATE    |                    | )                |
| CLAIMED:         | January 8, 2002    | )                |
| FOR:             | Reserve Battery    | )                |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

July 7, 2004

(Date of Deposit)

Ralph J. Crispino  
(Name of Person Mailing Paper)

[Signature]  
Signature

7/7/04  
Date

EV 139311219 US  
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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

Dear Sirs:

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.

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2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. § 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. § 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
  - a. ☐ are attached hereto.
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has Not expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. § 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. § 154(d)(4).
20. ☐ Other items or information.

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21. ☒ The following fees are submitted:

|   |                     |                     |              |                                  |  |
|---|---------------------|---------------------|--------------|----------------------------------|--|
| <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b>   |                     |                     |              | <b>CALCULATIONS PTO USE ONLY</b> |  |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO |                     |                     |              |                                  |  |
|   |                     |                     |              |                                  |  |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO   |                     |                     |              |                                  |  |
|   |                     |                     |              |                                  |  |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO  |                     |                     |              |                                  |  |
|   |                     |                     |              |                                  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)   |                     |                     |              |                                  |  |
|   |                     |                     |              |                                  |  |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)   |                     |                     |              |                                  |  |
|   |                     |                     |              |                                  |  |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |                     |                     |              | \$770.00                         |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))   |                     |                     |              |                                  |  |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b>  |                                  |  |
| Total Claims  | 44 - 20             | 24                  | 24 × \$18.00 | \$432                            |  |
| Independent Claims  | 4 - 3-              | 1                   | 1 × \$86.00  | \$86                             |  |
| Multiple Dependent Claim(s) (if applicable)   |                     |                     |              | \$0                              |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |                     |              | \$1,288                          |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.   |                     |                     |              | \$644                            |  |
| <b>SUBTOTAL =</b>   |                     |                     |              | \$644                            |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))  |                     |                     |              |                                  |  |
| <b>TOTAL NATIONAL FEE =</b>   |                     |                     |              | \$644                            |  |
| Fee for recording enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property                              |                     |                     |              |                                  |  |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |                     |              | \$644.00                         |  |
|   |                     |                     |              | Amount to be refunded:           |  |
|   |                     |                     |              | Charged:                         |  |

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed.  
b. ☒ Please charge my Deposit Account No. 501648 in the amount of \$644.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

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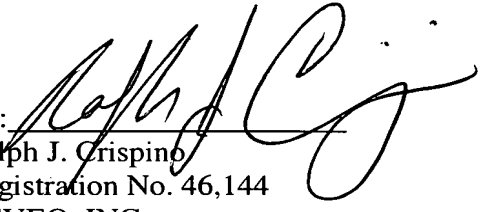
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- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501648. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

Respectfully submitted,

Date: July 7, 2004

By:   
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